

**STATE OF CALIFORNIA**  
**Energy Resources Conservation  
and Development Commission**

In the Matter of:	)	Docket No. 98-AFC-1
	)	
Application for Certification	)	ERRATA TO THE PRESIDING
for the Pittsburg District	)	MEMBER'S PROPOSED DECISION
Energy Facility (PDEF)	)	
_____	)	

The following list of ERRATA identifies certain typographical corrections and other non-substantive clarifications to the Presiding Member's Proposed Decision (PMPD) as recommended by the Committee. These ERRATA will be considered by the Commission and incorporated by reference in the PMPD, which is scheduled for review by the full Commission at its August 17, 1999 hearing on this matter.

**INTRODUCTION**

**A. SUMMARY OF THE PROPOSED DECISION**

- p.2, para. 3, line 4, delete the following: ...to mitigate project-related visual ~~and noise~~ impacts.
- P.3, para. 3, line 3 change to the District may not be able to and delete ~~cannot~~.
- P.3, para. 4, delete last sentence and replace with the parties have cooperated in developing a financial plan to assist the District in purchasing the necessary equipment.
- p.4, para.1, line 4, change to: in mid-2001" and delete: ~~late in the year 2001"~~

**I. PROJECT DESCRIPTION**

- p.1, para. 3, line 2: ...turbine generators (CTG) with a shared steam turbine generator.
- p.9, last para., 1<sup>st</sup> line, add: While not part of the project, Applicant will also construct a two-lane Truck Bypass Road... .

- p.10, 2<sup>nd</sup> para., last sentence: Applicant has committed to provide funds to the City of Pittsburg for the construction of the building Central Park as one of the amenities... .

## **V. FACILITY AND ENGINEERING ASSESSMENT**

### **A. FACILITY DESIGN**

- p. 22, **CONDITION MECH-5**, para. 1, line 3: ...that will be taken, ~~above and beyond adherence to the~~ to comply with applicable LORS,... .

### **C. POWER PLANT RELIABILITY**

- p.2, Natural Hazards, Number 4., line.3: ...at an elevation of 12 feet above mean sea level (MSL).

### **D. TRANSMISSION SYSTEM ENGINEERING**

- p.2, 2<sup>nd</sup> full para., 1<sup>st</sup> sentence: The underground trenches will be ~~installed in an existing railroad right-of-way along located under~~ the eastbound lane of ~~the~~ 8<sup>th</sup> Street ~~corridor~~.

### **E. TRANSMISSION LINE SAFETY AND NUISANCE**

- p.2, 1st full para., 3rd sentence: Applicant ~~measured~~ calculated the relevant field strengths... .

## **VI. PUBLIC HEALTH AND SAFETY ASSESSMENT**

### **A. AIR QUALITY**

- p.8, Table 4, make changes as shown below:

**AIR QUALITY TABLE 4**  
**Source of Offsets**

SOURCE	No <sub>x</sub> (tpy)	VOC (tpy)	PM <sub>10</sub> (tpy)
Owens-Brockway Certificate #518	73.62		42.8
Owens-Brockway Certificate #518			11.57 <sup>1</sup>
Owens-Brockway <del>Unbanked</del> <u>Banked</u> Credits	215.73		55.33
Owens-Brockway <del>Unbanked</del> <u>Banked</u> Credits		10.78	14.3 <sup>2</sup>
Quebecor Printing San Jose, Inc. <del>Unbanked</del> <u>Banked</u> Credits		144	
1 Interpollutant offsets of 46.3 tpy of SO <sub>x</sub> (ratio of 4:1, which means that 4 tpy of SO <sub>x</sub> offset 1 tpy of directly emitted PM <sub>10</sub> ) 2 Credits are for 138 tpy. Of this 57.2 tpy would be traded for PM <sub>10</sub> (ratio of 4:1)			

Source: Exhibit 46, Table 11; March 10, 1999 letter to Mr. Dennis Jang (BAAQMD) from Samuel Wehn (PDEF).

- p.9, Number 7. Operation, 3rd sentence, delete text in strikeout as shown below:

Upon Staff's recommendation, however, Applicant agreed to reduce its emission levels beyond those initially calculated. ~~because Staff's experience with other California power plants has shown that actual daily emission levels are significantly lower than permitted levels.~~

- p.10, Table 6, include new fn.2:

**AIR QUALITY Table 6**  
**Facility-Wide Maximum Permitted Daily and Annual Levels**

		Total Facility
NO <sub>x</sub>	lb/day	1190 <sup>1</sup>
	Tons/yr	153.2
CO	lb/day	5224
	Tons/yr	487.3
VOC	lb/day	892
	Tons/yr	97.61
PM <sup>2</sup>	lb/day	842
	Tons/yr	123.55
SO <sub>x</sub>	lb/day	272.4
	Tons/yr	39.86

<sup>1</sup> 1330 lb/day for up to 10 days per consecutive twelve month period.

<sup>2</sup>...A very small amount of PM<sub>10</sub> emissions may be generated from the cooling towers. The maximum worst case emissions would be about 10 lb/day and 2 tons per year.

Source: Conditions of Certification AQ-32, AQ-33

- p.11, 1st para., Number 8. Truck Bypass Road: delete entire paragraph and renumber following paragraphs on p.11 and 12 as follows: 9-8. Cumulative Impacts; 10-9. Public Comment.
- p.14, **FINDINGS**, Number 3., delete as shown in strikeout: The Bay Area is a federal attainment area for ~~O<sub>3</sub>~~, No<sub>x</sub>, PM<sub>10</sub>, Pb, and SO<sub>2</sub>.
- p.17, **CONDITIONS AQ-4**, add to last line:...and CO emission limitations specified in conditions 21(a) through 21(d) and condition 22.
- p. 24-25, **CONDITION AQ-22**, (2)(d), amend as follows:
  - (d) The owner/operator shall maintain continuous emission monitor (CEM)-data and complete records of plant emission performance under transient, non-steady state conditions.
  - ~~(e) —data and complete records of plant emission performance under transient, non-steady state conditions.~~
  - (e) The owner/operator shall record the Nox emission concentration and document the cause of each transient, days prior to the end of the Commissioning period.

- p.26, **CONDITION AQ-23**, last para., add the following at the end of 1st sentence: ...during the combustion process.

- p.37, **AQ-50**, 1st sentence, make the following change:

Prior to the start of construction of ~~this facility~~ the Pittsburg District Energy Facility, ...

- p.38., **AQ-52**, 2nd sentence, 3rd line, substitute maximum for ~~minimum~~. It should read as follows:

The cooling towers shall be equipped with high efficiency mist eliminators with a ~~minimum~~maximum guarantee drift rate of 0.0005%.

## C. WORKER SAFETY AND FIRE PROTECTION

- p.3, para. 2, line 4 change request~~s~~ to requested.

- P.3, para.2, line 8, delete ~~The Committee will entertain...necessary. Pending resolution of this issue,~~ add: The parties have cooperated in developing a financial plan to assist the District in purchasing the necessary equipment.

- p.6, **CONDITIONS WORKER SAFETY-2, Verification**, add 2nd paragraph as follows:

The project owner shall notify the CPM that the Project Operation Safety and Heath Program (Injury and Illness Prevention Plan, Fire Protection Plan, the Emergency Action Plan, and Personal Protective Equipment requirements), including all records and files on accidents and incidents, is present on-site and available for inspection.

- p.6, add new **CONDITION OF CERTIFICATION** and **Verification** and follows:

**WORKER SAFETY-3** The project owner shall design and install all exterior lighting to meet the requirements contained in the Visual Resources conditions of certification and in accordance with the American National Standards Practice for Industrial Lighting, ANSI/IES-RP-7.

**Verification:** Within 60 days after construction is completed, the project owner shall submit a statement to the CPM that the illiminance contained in ANSI/IES RP-7 were used as a basis for the design and installation of the exterior lighting.

## E. WASTE MANAGEMENT

- p.2, Number 3. Operation, 2nd para., 2nd sentence, 4th line, delete: ~~3-5 years~~ and change to 3 to 5 years... .
- p.3, Number 4. Wastewater, 2<sup>nd</sup> para, 1<sup>st</sup> sentence, should read as follows:

During operation, wastewater from cooling tower blowdown will be ~~treated and discharged to the Delta Diablo Sanitation District (DDSD) or returned to the cooling tower basin.~~

## VII. ENVIRONMENTAL ASSESSMENT

### A. BIOLOGICAL RESOURCES

- p.2, Number 1. Project Site, end of 1st para., insert the following language:

The Applicant proposed and staff agreed with measures that ensure the protection of biological resources, specifically wetland areas in close proximity to linear facilities. These measures are necessary during construction to avoid inadvertent impacts to these resources. Therefore, staff recommended inclusion of these measures in the Biological Resources Mitigation Implementation and Monitoring Plan that is required as a Condition of Certification.

- p.11, **CONDITION BIO-5**, insert the following bulleted item after last entry under Protocol:

- Clearly delineate construction area boundaries with stakes, flagging, and/or rope to minimize inadvertent degradation or loss of wetland habitat during construction activities associated with pipelines and transmission lines, and show all locations requiring temporary protection/signs during construction on a map of suitable scale.

- p.13, delete **CONDITION BIO-7**, and replace with the following:

**BIO-6** Site disturbance and project construction shall not commence until the project owner has developed a protocol for inclusion in a Biological Resources Mitigation Implementation and Monitoring Plan to monitor for bird mortality due to collision with the stacks on the project site as well as the transmission lines. Mortalities associated with transmission lines shall, to the extent possible, be identified as to whether the cause is electrocution or collision with towers or conductors. The protocol shall include a thorough description of methods for collecting and recording this data.

As part of this protocol, a report describing the results after each year of monitoring shall be submitted to the CPM on the next closest annual report date established for the project in this decision. If the CPM determines that the report content or format requires changes, the project owner shall modify the report based on the CPM's comments.

If bird mortalities are documented as a result of the monitoring, the project owner shall recommend and, if deemed necessary and acceptable by the CPM, implement mitigation measures to reduce the mortalities. If no significant bird mortalities are documented within a 3-year period, the bird monitoring program may be ended with concurrence of the CPM.

**Verification:** The CPM will review the Biological Resources Mitigation Implementation and Monitoring Plan submitted under condition of certification **BIO-5**. If the Biological Resources Mitigation Implementation and Monitoring Plan does not include the monitoring protocol listed above, the CPM will return the plan within 14 days to the project owner for revision. During operation of the project, the CPM or designee will determine via telephone or through visits to the project site, as deemed necessary, whether or not the project owner has complied with this condition.

The CPM will review each monitoring report and, as deemed necessary, ask the project owner to modify and/or clarify the report content and/or format.

If the project owner has not complied with any aspect of this condition, the CPM will notify the project owner of making this determination. If the project owner fails to correct any identified problem within a reasonable time, as determined by the CPM, the CPM will initiate the Energy Commission's complaint filing process.

For any necessary corrective action taken by the project owner, a determination of success or failure of such action will be made by the CPM after receipt of notice that corrective action is completed, or the project owner will be notified by the CPM that coordination with other agencies will require additional time before a determination can be made."

## **B. SOIL AND WATER**

- p.14, **CONDITION SOIL&WATER-3, Verification**, delete "construction "and replace as follows: Two weeks prior to the start of ~~construction~~ commercial operation ... .

## D. PALEONTOLOGIC RESOURCES

- p.4, **CONDITION PAL-2**, delete 1st para:

**PAL- 2:** ~~At least ten (10) days prior to the termination or release of a designated paleontological resource specialist, the project owner shall obtain CPM approval of the replacement specialist by submitting to the CPM the name and resume of the proposed new designated paleontological resource specialist. Should emergency replacement of the designated specialist become necessary, the project owner shall immediately notify the CPM to discuss the qualifications of its proposed replacement specialist.~~

- p.5, **CONDITION PAL-2**, 1st full sentence, delete: ~~Protocol:~~
- p.5, **CONDITION PAL-2**, 2nd full sentence, add: Protocol: The Paleontological Resources Monitoring Plan... .

## VIII. LOCAL IMPACT ASSESSMENT

### A. LAND USE

- p.5, number 5, Truck Bypass Road, delete ~~Truck Bypass Road~~ and add 1992 FEIR; delete entire 1<sup>st</sup> paragraph under Number 5. Add the following to the 2<sup>nd</sup> paragraph under Number 5: Although the Truck Bypass Road is not part of this certification proceeding, Staff noted that construction ....
- P.6, 1<sup>st</sup> full para., delete 1<sup>st</sup> sentence and 3<sup>rd</sup> sentence. Add promised by PDEF after ballfield in 2<sup>nd</sup> sentence.
- p.8, **CONDITION LAND-4**, line 2: ...~~in coordination with~~ in a joint effort with the Delta Energy Center, a linear green... .

p.5, 1<sup>st</sup> para., line 4, delete: ~~Montezuma~~ and replace with Beacon.

### B. TRAFFIC AND TRANSPORTATION

- p.9, delete 2<sup>nd</sup> full sentence and replace with The Commission has revised Condition **VIS-4** which requires PDEF to construct the 12-foot sound wall, but not the road, to mitigate project-related visual impacts.



- p.11, move **CONDITION TRANS-1** to the beginning of **CONDITION OF CERTIFICATION VIS-4**; delete **TRANS-1 Verification** and renumber **CONDITIONS OF CERTIFICATION**.
- P.13, Finding No. 13, delete ...~~and noise~~....

## C. VISUAL RESOURCES

- p.3, 1st full para., line 4:  
...block views of several project features, including most transmission poles and almost all views of the power plant itself,... .
- p.8, **FINDING 6**, 1st sentence:  
6. The 12-foot sound wall associated with the Truck Bypass Road will block almost all views of the power plant and will block most transmission poles from view at residences. project and transmission lines at residences along East Santa Fe Avenue and Columbia Streets.
- p.9, **CONDITION VIS-1**:
- p.9, **CONDITION VIS-1**, 2nd para., 1st word, Underline: Protocol:
- p.12, insert: **CONDITION OF CERTIFICATION TRANS-1** (from TRAFFIC AND TRANSPORTATION, page 11) incorporate with first paragraph of **CONDITION VIS-4**; add three months after the construction of the power plant begins.
- p.13, **CONDITION VIS-5**, para. 2, line 1, Insert: Protocol: The project owner shall submit a plan... .
- p.14, **CONDITION VIS-7, Verification**: At least 30 days prior to ~~installing the screening restoring the landscaping~~, the project owner shall submit the plan to the CPM for review and approval.
- p.16, **CONDITION VIS-9**, para. 2, line 1, Underline: Protocol:
- p.16, **CONDITION VIS-9**, Number 1, line1, add the following language:  
1. a detailed landscaping plan, a readable scale, which includes a list of proposed tree and shrub species and sizes and a... .

## D. NOISE

- \_ p.4, 4th para., 3rd line., delete: ~~residential~~
- p.6, Number 3, 1st para:
  - 3. As a baseline baseload project, PDEF will operate... .
- p.6, Number 4, 2nd para, 1st line, delete: ~~industrial~~
- p.9, paragraph below box, begin sentence with: Verification:

## E. SOCIOECONOMICS

- p.5, 3<sup>rd</sup> full para., delete 2<sup>nd</sup> sentence. Replace with As a result of the workshop, the parties have cooperated in developing a financial plan to assist the District.

Appendix A: LORS: Air Quality section, page 2, last para., delete ...~~Preliminary Determination of Compliance (PDOG), which will be issued in early March, 1999,~~ and replace with Final Determination of Compliance.

Dated: August 12, 1999

ENERGY RESOURCES CONSERVATION  
AND DEVELOPMENT COMMISSION

-signed

signed

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DAVID A. ROHY, Ph.D., Vice Chair  
Presiding Member  
PDEF Committee

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MICHAL C. MOORE, Commissioner  
Associate Member  
PDEF Committee

*Mailed to List #712*